REMARKS/ARGUMENTS

Reconsideration of the application is requested.

Claims 1-3, 5-10, and 12-13 are now in the application. Claims 1 and 8 have been amended. Claims 4 and 11 have been canceled.

In item 3 on page 2 of the above-identified Office Action, claims 1 and 8 have been rejected as being indefinite under 35 U.S.C. § 112, second paragraph.

Applicants inadvertently recited "subscriber line" in lines 9-10 of claim 1 and in line 11 of claim 8 instead of intended recitation of --subscriber line unit--. However, the rejection is moot because the relevant language has been deleted from claims 1 and 8.

It is accordingly believed that the claims meet the requirements of 35 U.S.C. § 112, second paragraph.

In item 7 on page 3 of the above-identified Office Action, claims 1, 5, and 7 have been rejected as being anticipated by Ozeki (JP 408-251370) under 35 U.S.C. § 102(a).

The rejection has been noted and the claims have been amended in an effort to even more clearly define the invention of the instant application. Support for the changes is found on page 10, line 13 to page 11, line 1 of the specification of the instant application.

Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful. Claim 1 calls for, *inter alia*, a communication system with a transmission network for transmitting useful signals, having:

(b) at least one subscriber line unit connected between the at least one subscriber terminal and the transmission network, the at least one **subscriber line unit having a coding device, a filter unit, an analog-digital/digital-analog converter, an amplifier unit, and an impedance matching unit**;

c) a separate recognition unit connected to the transmission network for recognizing a particular call number pattern and for outputting a control signal each corresponding to a recognized particular call number pattern; and

d) a separate control unit connected between the recognition unit and the subscriber line unit, **the separate control unit adjusting a coding characteristic of the coding unit, a**

frequency response of the filter unit, a conversion characteristic of the analog-digital/digital-analog converter, a gain/attenuation of the amplifier unit, and an impedance of the impedance matching unit in dependence on the control signals output by the recognition unit. (emphasis added)

Ozeki discloses a facsimile device with protocol function having a subscriber line (modem, network control section), which is designed to increase the level of a transmission signal as well as the transmission speed in case a communication connection already exists with the corresponding subscriber. In the case where a communication connection has not existed, the communication takes place without a change.

Ozeki does not disclose a subscriber line unit which has a coding device, a filter unit, an analog-digital/digital-analog converter, an amplifier unit, and an impedance matching unit. Further, Ozeki does not show a separate control unit connected between the recognition unit and the subscriber line unit which adjusts a coding characteristic of the coding unit, a frequency response of the filter unit, a conversion characteristic of the analog-digital/digital-analog converter, a gain/attenuation of the amplifier unit, and an impedance of the impedance matching unit in dependency on the control signals output by the recognition unit.

In contrast to that, Ozeki discloses, as stated above, a facsimile device with protocol functions having a modem and a network control section which is designed to increase the level of the transmission signal and the transmission speed in case a communication connection already exists between the corresponding subscribers.

Ozeki does not show "at least one subscriber line unit including a coding device, a filter unit, an analog-digital/digital-analog converter, an amplifier unit, and an impedance matching unit" and "said separate control unit adjusting a coding characteristic of said coding device, a frequency response of said filter unit, a conversion characteristic of said analog-digital/digital-analog converter, a gain/attenuation of said amplifier unit, and an impedance of said impedance matching unit in dependence on the control signals output by said recognition unit" as recited in claim 1 of the instant application. Independent claim 8 contains similar limitations.

In contrast to Ozeki, the communication system of claim 1 of the instant application, in particular the subscriber line unit, provides the required transmission characteristic and thus, also the required line termination characteristic for solving an object of the present invention (e.g., see page 4,

lines 4-6 and page 2, lines 8-12 of the instant specification).

In item 12 on page 5 of the above-identified Office Action, claims 4, 6, 8, 11, 12, and 13 have been rejected as being unpatentable over Ozeki under 35 U.S.C. § 103(a).

The foregoing discussion of Ozeki is equally applicable in the rejection.

In item 19 on page 8 of the above-identified Office Action, claims 2 and 9 have been rejected as being unpatentable over Ozeki in view of Schwartz (U.S. 4,805,208) under 35 U.S.C. § 103(a).

The foregoing discussion of Ozeki is equally applicable in the rejection.

Schwartz discloses bit compression system for a telephone modem using differential phase shift modulation to transmit dibit or tribit values. Schwartz does not overcome the deficiencies of the primary Ozeki reference. The Examiner has not shown any motivation in the primary Ozeki reference to warrant modification by Schwartz as proposed by the Examiner. Therefore, the only basis for combining Schwartz and Ozeki is

hindsight reconstruction of Ozeki in view of applicants invention.

In item 22 on page 10 of the above-identified Office Action, claims 3 and 10 have been rejected as being unpatentable over Ozeki in view of Fette et al. (U.S. 5,612,948) (hereinafter "Fette") under 35 U.S.C. § 103(a).

The foregoing discussion of Ozeki is equally applicable in the rejection.

Fette discloses a cellular highband communication network that operates at frequencies above certain level, which affords widespread coverage. Fette does not overcome the deficiencies of the primary Ozeki reference. The Examiner has not shown any motivation in the primary Ozeki reference to warrant modification by Schwartz as proposed by the Examiner. Therefore, the only basis for combining Schwartz and Ozeki is hindsight reconstruction of Ozeki in view of applicants invention.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claim 1 or 8. Claims 1 and 8 are, therefore, believed to be patentable over the art. The

dependent claims are believed to be patentable as well because they all are ultimately dependent on claim 1 or 8.

In view of the foregoing, reconsideration and allowance of claims 1-3, 5-10, and 12-13 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate receiving a telephone call so that, if possible, patentable language can be worked out.

Petition for extension is herewith made. The extension fee for response within a period of one month pursuant to Section 1.136(a) in the amount of $120.00 in accordance with Section 1.17 is enclosed herewith.

Please charge any other fees that might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of Lerner and Greenberg, P.A., No. 12-1099.

Respectfully submitted,

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FDP/bb

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